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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/080,467	02/22/2002	Troy Curtiss	UTL 00180	8385

7590 08/12/2004
Kyocera Wireless Corp.
Attn: Patent Department
PO Box 928289
San Diego, CA 92192-8289

EXAMINER

NGUYEN, JOSEPH D

ART UNIT	PAPER NUMBER
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2683

DATE MAILED: 08/12/2004

2

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/080,467

Applicant(s)

CURTISS ET AL.

Examiner

Joseph D Nguyen

Art Unit

2683

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-23 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-23 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 February 2002 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-5, 7-10, 12, 14-17, 19-21, and 23 are rejected under 35 U.S.C. 102(b) as being anticipated by Nordwall (6,097,943).

Regarding claim 1, Nordwall discloses a system for interfacing a communication device with an accessory (abstract, fig. 1) comprising:

- a) a communication device (#10 fig. 1) comprising:
- b) a memory configured to stored at least a portion of control data (#63 fig. 4, col. 4 lines 10-17);
- c) a processor (#62 fig. 4, col. 3 line 46 thru col. 4 line 17)

configured to utilize control data to interface with an accessory;

d) a communication device interface configured to connect the communication device to the accessory to thereby receive at least a portion of control data from the accessory and store at least a portion of the control data in memory (fig. 4, col. 5 line 49 thru col. 6 line 27);

- e) a communication device accessory (#11 fig. 1) comprising:
- f) a memory configured to store control data (#12 fig. 1);
- g) a controller (#14 fig. 1) configured to interface with the memory;

Art Unit: 2683

h) an accessory interface configured to connect the accessory to the communication device and send (exchange) at least a portion of the control data to the communication device (fig. 1-2, col. 4 lines 18-35).

Regarding claim 2, Nordwall further discloses the system of claim 1, wherein the communication device comprises a wireless telephone (#10 fig. 1).

Regarding claim 3, Nordwall further discloses the system of claim 1, wherein the accessory comprises a speaker phone system for use in an automobile (#11 fig. 1, col. 3 lines 46-65).

Regarding claim 4, Nordwall further discloses the system of claim 1, wherein the control data comprises data that controls interaction between the communication device and the accessory (col. 4 lines 18-35).

Regarding claim 5, Nordwall discloses a method for providing control data to an electronic device, the control data configured to control interaction between the electronic device and an accessory for the electronic device (abstract, fig. 1-5), the method comprising:

a) reading accessory control data identification data from the accessory (col. 7 lines 38-53);

b) comparing the accessory control data identification data to control data identification data stored on the electronic device (when the mobile device perform calculation related to the performance of the ancillary function which means comparing the accessory control data with control data stored on the electronic device) (abstract, fig. 2-4, col. 3 line 46 thru col. 6 line 27);

Art Unit: 2683

c) reading one or more portions of the accessory control data from the accessory based on the comparison (voice recognition...) (abstract, fig. 2-4, col. 2 line 56 thru col. 3 line 17); and

d) storing the one or more portions of the accessory control data on the electronic device (abstract).

Regarding claim 7, this claim is rejected for the same reason as set forth in claim 3.

Regarding claim 8, this claim is rejected for the same reason as set forth in claim 4.

Regarding claim 9, Nordwall further discloses the method of claim 5, wherein the comparing determines if the accessory control data is stored on the electronic device and the reading one or more portions of the accessory control data and storing one or more portions of the accessory control data only occur if the comparing determines that the accessory control data identification data does not match control data identification data stored on the electronic device (abstract, col. 7 lines 38-53).

Regarding claim 10, Nordwall discloses a method for storing data that aids operation of an accessory when connected to a communication device (abstract, fig. 1-4), the method comprising:

a) providing a memory in an accessory (#12 fig. 1);

b) storing data in the memory, the data configured to aid operation of the accessory when connected to a communication device (#12 fig. 1, col. 2 line 40 thru col. 3 line 17);

Art Unit: 2683

d) storing data version ID in the memory, the data version ID configured to be read by a communication device and provide identification information regarding the data (fig. 1-4, col. lines 18-35).

Regarding claim 12, Nordwall further discloses the method of claim 10, wherein providing a memory comprises providing flash memory in the accessory (#113 fig. 5).

Regarding claim 14, Nordwall further discloses the method of claim 10, wherein the accessory comprises a cellular telephone (#10 fig. 1) and the accessory comprises a hands-free system (#11 fig. 1).

Regarding claim 15, Nordwall discloses a communication device accessory (#11 fig. 1) comprising:

a) a memory configured to store control data, the control data comprising data configured to facilitate operation of the accessory (#12 fig. 1, col. 4 lines 18-35);

b) a memory interface configured to access the memory (fig. 4-5); and

c) a bus connected to the memory interface, the bus configured to carry control data from the memory to a communication device (fig. 4-5, col. 5 line 49 thru col. 6 line 43).

Regarding claim 16, Nordwall further discloses a communication device accessory of claim 15, wherein the memory comprises non-volatile memory (#113 fig. 5, col. 6 lines 28-43).

Art Unit: 2683

Regarding claim 17, Nordwall further discloses a communication device accessory of claim 15, wherein the communication device accessory comprises a speaker phone (#69 fig. 4).

Regarding claim 19, Nordwall further discloses a communication device accessory of claim 15, further including a register configured to communicate over the bus (fig. 4-5, col. 4 line 49 thru col. 6 line 43).

Regarding claim 20, Nordwall discloses a system for providing control data to a communication device (abstract, fig. 1-6):

a) means for storing control data located in an accessory, the control data identified by a control data identifier (#12 fig. 1, col. 6 lines 18-35);

b) means for accessing the control data stored in the means for storing (abstract, fig. 1-5, col. 3 line 46 thru col. 4 line 35);

c) means for providing the control data and the control data identifier to a communication device (fig. 1-5, col. 4 line 18 thru col. 6 line 27);

d) means for comparing (calculating the parameter value between the accessory device and mobile device) the control data identifier to one or more other control data identifiers stored on the communication device (abstract, col. 2 line 40 thru col. 3 line 17); and

e) means for transferring (communication to exchange) the control data located on the accessory to the communication device (fig. 1-5, col. 4 line 18 thru col. 6 line 27).

Regarding claim 21, Nordwall discloses a system for providing control data to a communication device (abstract, fig. 1-5) comprising:

Art Unit: 2683

- a) an accessory configured to operate in conjunction with the communication device (abstract, fig. 1-5);
- b) an accessory memory configured to store control data, the control data configured to aid interface between the communication device and the accessory (#12 fig. 1, col. 3 line 46 thru col. 4 line 35);
- c) a bus connected to the accessory and configured to carry at least a portion of the control data from the accessory memory (fig. 4-5, col. 5 line 49 thru col. 6 line 27);
- d) a processor, located in the communication device, configured to receive at least a portion of the control data over the bus (#62 fig. 4, col. 5 line 49 thru col. 6 line 27); and
- e) a communication device memory, in communication with the processor, configured to store the control data received over the bus for use by the communication device (#63 fig. 4, col. 5 line 49 thru col. 6 line 27) .

Regarding claim 23, Nordwall further discloses the system of claim 21, further including a controller located in the accessory, the controller configured to interface the bus and the accessory memory (#65 fig. 4).

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 6, 11, 13, 18 and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nordwall (6,097,943).

Regarding claim 6, Nordwall further discloses the method of claim 5, further including deleting one or more portions of the accessory control data from the electronic device prior to storing (col. 3 line 46 thru col. 4 line 17). However, Nordwall does not specifically disclose deleting one or more portions of the accessory control data from the electronic device prior to storing. But it would have been obvious to one ordinary skilled in the art that the system of Nordwall when the mobile telephone with the memory to store and restore the parameter values to use after the calculation and recalculation the parameter values between hands free and mobile telephone which means the mobile telephone is deleting one or more portions of the control data prior to store the new matching control data in order to operate the hands free.

Regarding claim 11, Nordwall further discloses the method of claim 10, further including providing access to the memory over a two conductor bus (a serial bus) (#60 fig. 4, col. 5 line 49 thru col. 6 line 27). However, Nordwall does not specifically disclose a two conductor bus. But it would have been obvious to one ordinary skilled in the art that the serial bus in Nordwall can be a two conductor bus.

Regarding claim 13, Nordwall further discloses the method of claim 10, wherein the data version ID uniquely identifies the data (unique parameter value) (col. 3 line 46 thru col. 4 line 35). However, Nordwall does not specifically

Art Unit: 2683

discloses the data version id. However, it would have been obvious to one ordinary skilled in the art that the unique parameter value of Nordwall system can be the version ID to uniquely identified the data.

Regarding claim 18, this claim is rejected for the same reason as set forth in claim 11.

Regarding claim 22, this claim is rejected for the same reason as set forth in claim 11.

5. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

Washington, D.C. 20231

Or faxed to:

703 308-9051, (for formal communication intended for entry)

or (703) 305-9509 (for informal or draft communications, please label "PROPOSED" OR "DRAFT")

Hand-delivered responses should be brought to Crystal Park II,

2121 Crystal Drive, Arlington. VA. Sixth floor (Receptionist).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joseph D Nguyen whose telephone number is (703) 605-1301. The examiner can normally be reached on 7:00 AM to 4:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Trost can be reached on (703) 308-5318. The fax

Art Unit: 2683

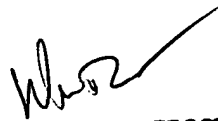
phone numbers for the organization where this application or proceeding is assigned are (703) 872-9314 for regular communications and (703) 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 306-0377.

Joseph Nguyen



Aug. 6, 2004



WILLIAM TROST
SUPERVISORY PATENT EXAMINER
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